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I. GENERAL ASSEMBLY ADOPTS FOUR RESOLUTIONS ON THE QUESTION OF PALESTINE

The General Assembly considered item 40 of its agenda, entitled "Question of Palestine", at four meetings, held on 29 and 30 November and 14 December 1994. (For the verbatim records of the meetings, see A/49/PV.70-72 and 88). On 14 December 1994, the Assembly adopted resolutions 49/62 A-D, relating, respectively, to the mandates of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Division for Palestinian Rights and the Department of Public Information, and to the peaceful settlement of the question of Palestine. An indication of the sponsors can be found in documents A/49/L.53 to 56. For the statements introducing the debate on the item, see the October/November 1994 issue of this bulletin.

The four resolutions are reproduced below, followed in each case by an indication of the vote. Full details of the voting on these and other resolutions will be given in a document to be issued by the Division for Palestinian Rights under the symbol A/AC.183/L.2/Add.15.

49/62. Question of Palestine

A

Committee on the Exercise of the Inalienable Rights of the Palestinian People

The General Assembly,

Recalling its resolutions 181 (II) of 29 November 1947, 194 (III) of 11 December 1948, 3236 (XXIX) of 22 November 1974, 3375 (XXX) and 3376 (XXX) of 10 November 1975, 31/20 of 24 November 1976, 32/40 A of 2 December 1977, 33/28 A and B of 7 December 1978, 34/65 A of 29 November 1979, 34/65 C of 12 December 1979, ES-7/2 of 29 July 1980, 35/169 A and C of 15 December 1980, 36/120 A and C of 10 December 1981, ES-7/4 of 28 April 1982, 37/86 A of 10 December 1982, 38/58 A of 13 December 1983, 39/49 A of 11 December 1984, 40/96 A of 12 December 1985, 41/43 A of 2 December 1986, 42/66 A of 2 December 1987, 43/175 A of 15 December 1988, 44/41 A of 6 December 1989, 45/67 A of 6 December 1990, 46/74 A of 11 December 1991, 47/64 A of 11 December 1992 and 48/158 A of 20 December 1993,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[1]

Welcoming the signing of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes and Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization on 13 September 1993 in Washington, D.C.,[2] as well as the subsequent implementation agreements, including the Agreement on the Gaza Strip and the Jericho Area, signed on 4 May 1994 at Cairo,[3]

Reaffirming that the United Nations has a permanent responsibility with respect to the question of Palestine until the question is resolved in all its aspects in a satisfactory manner in accordance with international legitimacy,

1. Expresses its appreciation to the Committee on the Exercise of the Inalienable Rights of the Palestinian People for its efforts in performing the tasks assigned to it by the General Assembly;

2. Considers that the Committee can continue to make a valuable and positive contribution to international efforts to promote the effective implementation of the Declaration of Principles on Interim Self-Government Arrangements and to mobilize international support and assistance to the Palestinian people during the transitional period;

3. Endorses the recommendations of the Committee contained in section VII of its report;[1]

4. Requests the Committee to continue to keep under review the situation relating to the ques-

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[1] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 35 (A/49/35).*

[2] *A/48/486-S/26560, annex.*

[3] *A/49/180-S/1994/727, annex.*

tion of Palestine and to report and make suggestions to the General Assembly or the Security Council, as appropriate;

5. Authorizes the Committee to continue to exert all efforts to promote the exercise of the inalienable rights of the Palestinian people, to make such adjustments in its approved programme of work as it may consider appropriate and necessary in the light of developments, to give special emphasis to the need to mobilize support and assistance for the Palestinian people, and to report thereon to the General Assembly at its fiftieth session and thereafter;

6. Also requests the Committee to continue to extend its cooperation to non-governmental organizations in their contribution towards heightening international awareness of the facts relating to the question of Palestine and promoting support and assistance to meet the needs of the Palestinian people, and to take the necessary steps to involve additional non-governmental organizations in its work;

7. Requests the United Nations Conciliation Commission for Palestine, established under General Assembly resolution 194 (III), and other United Nations bodies associated with the question of Palestine, to continue to cooperate fully with the Committee and to make available to it, at its request, the relevant information and documentation which they have at their disposal;

8. Requests the Secretary-General to circulate the report of the Committee to all the competent bodies of the United Nations, and urges them to take the necessary action, as appropriate;

9. Also requests the Secretary-General to continue to provide the Committee with all the necessary facilities for the performance of its tasks.

Adopted on 14 December 1994
by a vote of 103 in favour to
2 against, with 40 abstentions

B

Division for Palestinian Rights
of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[1]

Taking note, in particular, of the relevant information contained in section V.B of that report,

Recalling its resolutions 32/40 B of 2 December 1977, 33/28 C of 7 December 1978, 34/65 D of 12 December 1979, 35/169 D of 15 December 1980, 36/120 B of 10 December 1981, 37/86 B of 10 December 1982, 38/58 B of 13 December 1983, 39/49 B of 11 December 1984, 40/96 B of 12 December 1985, 41/43 B of 2 December 1986, 42/66 B of 2 December 1987, 43/175 B of 15 December 1988, 44/41 B of 6 December 1989, 45/67 B of 6 December 1990, 46/74 B of 11 December 1991, 47/64 B of 11 December 1992 and 48/158 B of 20 December 1993,

1. Notes with appreciation the action taken by the Secretary-General in compliance with its resolution 48/158 B;

2. Considers that the Division for Palestinian Rights of the Secretariat continues to make a useful and constructive contribution through the organization of seminars and meetings of non-governmental organizations, as well as through its research and monitoring activities, the preparation of studies and publications, and the collection and dissemination of information in printed and electronic form on all issues pertaining to the question of Palestine;

3. Requests the Secretary-General to continue to provide the Division with the necessary resources, including the further development of the United Nations information system on the question of Palestine,[4] and to ensure that it continues to discharge the tasks detailed in paragraph 1 of resolution 32/40 B, paragraph 2 (b) of resolution 34/65 D, paragraph 3 of resolution 36/120 B, paragraph 3 of resolution 38/58 B, paragraph 3 of resolution 40/96 B, paragraph 2 of resolution 42/66 B, paragraph 2 of resolution 44/41 B, paragraph 2 of resolution 46/74 B and paragraph 2 of resolution 48/158 B, in consultation with the Committee on the Exercise of the Inalienable Rights of the Palestinian People and under its guidance;

4. Also requests the Secretary-General to ensure the continuing cooperation of the Department

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[4] *See Official Records of the General Assembly, Forty-ninth Session, Supplement No. 35 (A/49/35), para. 67.*

of Public Information and other units of the Secretariat in enabling the Division to perform its tasks and in covering adequately the various aspects of the question of Palestine;

5. Invites all Governments and organizations to lend their cooperation to the Committee and the Division in the performance of their tasks;

6. Notes with appreciation the action taken by Member States to observe annually on 29 November the International Day of Solidarity with the Palestinian People and requests them to continue to give the widest possible publicity to the observance, and requests the Committee to continue to organize, as part of the observance of the Day of Solidarity, an annual exhibit on Palestinian rights in cooperation with the Permanent Observer Mission of Palestine to the United Nations.

Adopted on 14 December 1994
by a vote of 105 in favour to
2 against, with 40 abstentions

C

Department of Public Information
of the Secretariat

The General Assembly,

Having considered the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People,[1]

Taking note, in particular, of the information contained in section VI of that report,

Recalling its resolution 48/158 C of 20 December 1993,

Convinced that the worldwide dissemination of accurate and comprehensive information and the role of non-governmental organizations and institutions remain of vital importance in heightening awareness of and support for the inalienable rights of the Palestinian people,

Aware of the Declaration of Principles on Interim Self-Government Arrangements signed by the Government of the State of Israel and the Palestine Liberation Organization on 13 September 1993 in Washington, D.C.,[2] and of the subsequent implementation agreements, including the Agreement on the Gaza Strip and the Jericho Area, signed on 4 May 1994 at Cairo,[3] and their positive implications,

1. Notes with appreciation the action taken by the Department of Public Information of the Secretariat in compliance with General Assembly resolution 48/158 C;

2. Considers that the special information programme on the question of Palestine of the Department of Public Information helps to raise the awareness of the international community on the question and the situation in the Middle East in general, including the achievements of the peace process, and should continue to contribute effectively to an atmosphere conducive to dialogue and supportive of the peace process;

3. Requests the Department, in full cooperation and coordination with the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to continue, with the necessary flexibility as may be required by developments affecting the question of Palestine, its special information programme on the question of Palestine for the biennium 1994-1995, with particular emphasis on public opinion in Europe and North America, and, in particular:

(a) To disseminate information on all the activities of the United Nations system relating to the question of Palestine, including reports of the work carried out by the relevant United Nations organizations;

(b) To continue to issue and update publications on the various aspects of the question of Palestine in all fields, including materials concerning the recent developments in that regard and, in particular, the achievements of the peace process;

(c) To expand its audiovisual material on the question of Palestine, including the production of such material;

(d) To organize and promote fact-finding news missions for journalists to the area, including the occupied territories;

(e) To organize international, regional and national encounters for journalists;

(f) To provide, in cooperation with specialized agencies of the United Nations system, particularly the United Nations Educational, Scientific

and Cultural Organization, assistance to the Palestinian people in the field of media development.

Adopted on 14 December 1994
by a vote of 142 in favour to
2 against, with 3 abstentions

D

Peaceful settlement of the question of Palestine

The General Assembly,

Recalling its relevant resolutions,

Recalling also relevant Security Council resolutions, including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973,

Having considered the report of the Secretary-General of 3 November 1994, submitted pursuant to the request made in its resolution 48/158 D of 20 December 1993,[5]

Convinced that achieving a final and peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, is imperative for the attainment of a comprehensive and lasting peace in the Middle East,

Aware that the principle of equal rights and self-determination of peoples is among the purposes and principles of the Charter of the United Nations,

Affirming the principle of the inadmissibility of the acquisition of territory by war,

Affirming also the illegality of the Israeli settlements in the territory occupied since 1967 and of Israeli actions aimed at changing the status of Jerusalem,

Affirming once more the right of all States in the region to live in peace within secure and internationally recognized borders,

Aware of the mutual recognition between the Government of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, and the signing by the two parties of the Declaration of Principles on Interim Self-Government Arrangements[2] on 13 September 1993 in Washington, D.C., as well as the subsequent implementation agreements, including the Agreement on the Gaza Strip and the Jericho Area, signed on 4 May 1994 at Cairo,[3]

Noting with satisfaction the withdrawal of the Israeli army, which took place in the Gaza Strip and the Jericho area in accordance with the agreements reached by the parties, and the initiation of the Palestinian Authority in those areas,

Aware that the United Nations has participated as a full, extraregional participant in the work of the multilateral working groups of the Middle East peace process,

Noting the appointment by the Secretary-General of the United Nations Special Coordinator in the Occupied Territories,

Welcoming the convening of the Conference to Support Middle East Peace in Washington, D.C., on 1 October 1993,

1. Reaffirms the necessity of achieving a peaceful settlement of the question of Palestine, the core of the Arab-Israeli conflict, in all its aspects;

2. Expresses its full support for the ongoing peace process, which began in Madrid, and the Declaration of Principles on Interim Self-Government Agreements, as well as the subsequent implementation agreements, and expresses the hope that the process will lead to the establishment of a comprehensive, just and lasting peace in the Middle East;

3. Calls for the timely and scrupulous implementation of the agreements reached between the parties towards the negotiation of the final settlement;

4. Stresses the need for:

(a) The realization of the inalienable rights of the Palestinian people, primarily the right to self-determination;

(b) The withdrawal of Israel from the Palestinian territory occupied since 1967;

5. Also stresses the need for resolving the problem of the Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948;

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[5] *A/49/636-S/1994/1240.*

6. Urges Member States to expedite the provision of economic and technical assistance to the Palestinian people during this critical period;

7. Emphasizes the importance for the United Nations to play a more active and expanded role in the current peace process and in the implementation of the Declaration of Principles;

8. Requests the Secretary-General to continue his efforts with the parties concerned, and, in consultation with the Security Council, for the promotion of peace in the region and to submit progress reports on developments in this matter.

Adopted on 14 December 1994
by a vote of 136 in favour to
2 against, with 7 abstentions

II. GENERAL ASSEMBLY ADOPTS THREE RESOLUTIONS ON THE SITUATION IN THE MIDDLE EAST

The General Assembly considered agenda item 38, entitled "The situation in the Middle East", at three plenary meetings held on 30 November and 1 and 16 December 1994. (For the verbatim records of the meetings, see A/49/PV.72, 73 and 91.) For an account of the report submitted by the Secretary-General under the item, see the October/November 1994 issue of this bulletin.

On 16 December 1994, the General Assembly adopted three resolutions under the item, the texts of which are reproduced below.

49/87. The situation in the Middle East

A

Jerusalem

The General Assembly,

Recalling its resolutions 36/120 E of 10 December 1981, 37/123 C of 16 December 1982, 38/180 C of 19 December 1983, 39/146 C of 14 December 1984, 40/186 C of 16 December 1985, 41/162 C of 4 December 1986, 42/209 D of 11 December 1987, 43/54 C of 6 December 1988, 44/40 C of 4 December 1989, 45/83 C of 13 December 1990, 46/82 B of 16 December 1991, 47/63 B of 11 December 1992 and 48/59 A of 14 December 1993, in which it determined that all legislative and administrative measures and actions taken by Israel, the occupying Power, which had altered or purported to alter the character and status of the Holy City of Jerusalem, in particular the so-called "Basic Law" on Jerusalem and the proclamation of Jerusalem as the capital of Israel, were null and void and must be rescinded forthwith,

Recalling also Security Council resolution 478 (1980) of 20 August 1980, in which the Council, inter alia, decided not to recognize the "Basic Law" and called upon those States that had established diplomatic missions at Jerusalem to withdraw such missions from the Holy City,

Having considered the report of the Secretary-General of 20 October 1994,[6]

1. Determines that the decision of Israel to impose its laws, jurisdiction and administration on the Holy City of Jerusalem is illegal and therefore null and void and has no validity whatsoever;

2. Deplores the transfer by some States of their diplomatic missions to Jerusalem in violation of Security Council resolution 478 (1980), and their refusal to comply with the provisions of that resolution;

3. Calls once more upon those States to abide by the provisions of the relevant United Nations resolutions, in conformity with the Charter of the United Nations;

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[6] *A/49/556.*

4. Requests the Secretary-General to report to the General Assembly at its fiftieth session of the implementation of the present resolution.

Adopted on 16 December 1994
by a vote of 138 in favour to
2 against, with 7 abstentions

B

The Syrian Golan

The General Assembly,

Having considered the item entitled "The situation in the Middle East",

Taking note of the report of the Secretary-General of 20 October 1994,[6]

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Reaffirming the fundamental principle of the inadmissibility of the acquisition of territory by force,

Reaffirming once more the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[7] to the occupied Syrian Golan,

Deeply concerned that Israel has not withdrawn from the Syrian Golan, which has been under occupation since 1967, contrary to the relevant Security Council and General Assembly resolutions,

Noting with satisfaction the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, with the hope that substantial and concrete progress will be achieved on the Syrian and Lebanese tracks for the realization of a just, comprehensive and lasting peace in the region,

1. Declares that Israel has failed so far to comply with Security Council resolution 497 (1981);

2. Declares also that the Knesset decision of 11 November 1991 annexing the occupied Syrian Golan constitutes a grave violation of Security Council resolution 497 (1981) and therefore is null and void and has no validity whatsoever, and calls upon Israel to rescind it;

3. Reaffirms its determination that all relevant provisions of the Regulations annexed to the Hague Convention of 1907,[8] and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, continue to apply to the Syrian territory occupied by Israel since 1967, and calls upon the parties thereto to respect and ensure respect for their obligations under those instruments in all circumstances;

4. Determines once more that the continued occupation of the Syrian Golan and its de facto annexation constitute a stumbling-block in the way of achieving a just, comprehensive and lasting peace in the region;

5. Demands once more that Israel withdraw from all the occupied Syrian Golan in implementation of the relevant Security Council resolutions;

6. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

Adopted on 16 December 1994
by a vote of 77 in favour to
2 against, with 70 abstentions

49/88. Middle East peace process

The General Assembly,

Recalling its resolution 48/58 of 14 December 1993 and Economic and Social Council resolution 1994/29 of 27 July 1994,

Stressing that the achievement of a comprehensive, just and lasting settlement of the Middle East conflict will constitute a significant contribution to strengthening international peace and security,

Recalling the convening of the Peace Conference on the Middle East at Madrid on

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[7] *United Nations, Treaty Series, vol. 75, No. 973.*

[8] *See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915).*

30 October 1991, on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973, and the subsequent bilateral negotiations, as well as the meetings of the multilateral working groups, and noting with satisfaction the broad international support for the peace process,

Noting the continuing positive participation of the United Nations as a full extraregional participant in the work of the multilateral working groups,

Bearing in mind the Declaration of Principles on Interim Self-Government Arrangements, signed by the Government of the State of Israel and the Palestine Liberation Organization in Washington, D.C., on 13 September 1993,[2] and the subsequent Agreement on the Gaza Strip and the Jericho Area, signed by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, at Cairo on 4 May 1994,[3] and their 29 August 1994 agreement on the preparatory transfer of powers and responsibilities,

Also bearing in mind the Agreement between Israel and Jordan on the Common Agenda, signed in Washington, D.C., on 14 September 1993, the Washington Declaration,[9] signed by Jordan and Israel on 25 July 1994, and the Jordan-Israel Treaty of Peace of 26 October 1994,

Welcoming the Declaration of Casablanca, adopted at the Middle East/North Africa Economic Summit,[10] held at Casablanca from 30 October to 1 November 1994,

1. Welcomes the peace process started at Madrid and supports the subsequent bilateral negotiations;

2. Stresses the importance of, and need for, achieving a comprehensive, just and lasting peace in the Middle East;

3. Expresses its full support for the achievements of the peace process thus far, in particular the Declaration of Principles on Interim Self-Government Arrangements, signed by the Government of the State of Israel and the Palestine Liberation Organization, the subsequent Agreement on the Gaza Strip and the Jericho Area, signed by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, their 29 August 1994 agreement on the preparatory transfer of powers and responsibilities, the agreement between Israel and Jordan on the Common Agenda, the Washington Declaration, signed by Jordan and Israel on 25 July 1994, and the Jordan-Israel Treaty of Peace of 26 October 1994, which constitute important steps in achieving a comprehensive, just and lasting peace in the Middle East, and urges all parties to implement the agreements reached;

4. Stresses the need to achieve rapid progress on the other tracks of the Arab-Israeli negotiations within the peace process;

5. Welcomes the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, including the establishment of the Ad Hoc Liaison Committee, and the subsequent work of the World Bank Consultative Group, welcomes also the appointment by the Secretary-General of the United Nations Special Coordinator in the Occupied Territories, and urges Member States to expedite economic, financial and technical assistance to the Palestinian people during the interim period;

6. Calls upon all Member States to extend economic, financial and technical assistance to parties in the region and to render support for the peace process;

7. Considers that an active United Nations role in the Middle East peace process and in assisting in the implementation of the Declaration of Principles can make a positive contribution;

8. Encourages regional development and cooperation in the areas where work has begun within the framework of the Madrid Conference.

Adopted on 16 December 1994
by a vote of 149 in favour to
4 against, with 2 abstentions

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[9] *A/49/300-S/1994/939, annex.*

[10] *A/49/645, annex.*

III. GENERAL ASSEMBLY ADOPTS FOUR RESOLUTIONS ON THE REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

On 9 December 1994, the General Assembly considered the report of the Special Political and Decolonization Committee (Fourth Committee) on agenda item 78, entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories".[11] (For the verbatim record of the plenary consideration of the item, see A/49/PV.83; for a description of the reports submitted under the item, see the October/November 1994 issue of this bulletin.)

The four resolutions adopted by the Assembly on the recommendation of the Fourth Committee are reproduced below.

49/36. Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

A

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the principles of international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[7] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[12] and the International Covenants on Human Rights,[13]

Recalling its relevant resolutions, including resolution 2443 (XXIII) of 19 December 1968, and relevant resolutions of the Commission on Human Rights,

Recalling also relevant resolutions of the Security Council,

Aware of the uprising (intifadah) of the Palestinian people,

Convinced that occupation itself represents a primary violation of human rights,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[14] and the relevant reports of the Secretary-General,[15]

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes and its Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization at Washington, D.C., on 13 September 1993,[2] as well as the subsequent implementation agreements, including the Agreement on the Gaza Strip and the Jericho Area, signed at Cairo on 4 May 1994,[3]

1. Commends the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;

2. Demands that Israel cooperate with the Special Committee in implementing its mandate;

3. Deplores those policies and practices of Israel which violate the human rights of the Palestinian people and other Arabs of the occupied

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[11] *A/49/620.*

[12] *Resolution 217 A (III).*

[13] *Resolution 2200 A (XXI), annex.*

[14] *See A/49/67, A/49/172 and A/49/511.*

[15] *A/49/598 to A/49/601.*

territories, as reflected in the reports of the Special Committee covering the reporting period;[14]

4. Expresses the hope that, in the light of the recent positive political developments, those policies and practices will be brought to an end immediately;

5. Requests the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. Also requests the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the occupied Palestinian territory;

7. Further requests the Special Committee to continue to investigate the treatment of prisoners in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

8. Requests the Secretary-General:

(a) To provide all necessary facilities to the Special Committee, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat, and, where necessary, to reprint those reports of the Special Committee which are no longer available;

(e) To report to the General Assembly at its fiftieth session on the tasks entrusted to him in the present resolution;

9. Decides to include in the provisional agenda of its fiftieth session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

Adopted on 9 December1994
by a vote of 85 in favour to
2 against, with 75 abstentions

B

The General Assembly,

Recalling its relevant resolutions,

Bearing in mind the relevant resolutions of the Security Council,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[14] and the relevant reports of the Secretary-General,[15]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law,

1. Reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[7] is applicable to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

2. Demands that Israel accept the de jure applicability of the Convention in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. Calls upon all States parties to the Convention, in accordance with article 1 common to

the four Geneva Conventions,[16] to exert all efforts in order to ensure respect for its provisions by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967;

4. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

Adopted on 9 December 1994
by a vote of 155 in favour to
3 against, with 5 abstentions

C

The General Assembly,

Recalling its relevant resolutions and the resolutions of the Commission on Human Rights,

Bearing in mind the relevant resolutions of the Security Council, the most recent of which is resolution 904 (1994) of 18 March 1994,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[14] and the reports of the Secretary-General,[15]

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[7] to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Welcoming the signing of the Declaration of Principles on Interim Self-Government Arrangements, including its Annexes and its Agreed Minutes, by the Government of the State of Israel and the Palestine Liberation Organization, at Washington, D.C., on 13 September 1993,[2] as well as the subsequent implementation agreements, including the Agreement on the Gaza Strip and the Jericho Area, signed at Cairo on 4 May 1994,[3]

Noting the withdrawal of the Israeli army, which took place in the Gaza Strip and the Jericho area in accordance with the agreements reached between the parties, and the initiation of the Palestinian Authority in those areas,

Concerned about the continued violation of the human rights of the Palestinian people by Israel, the occupying Power, especially the use of collective punishment, closure of areas, annexation and establishment of settlements, and the continued actions by it designed to change the legal status, geographical nature and demographic composition of the occupied Palestinian territory,

Concerned in particular about the dangerous situation resulting from actions taken by the illegal, armed Israeli settlers in the occupied territory, as illustrated by the massacre of Palestinian worshippers by an illegal Israeli settler in Al-Khalil on 25 February 1994,

Convinced of the positive impact of a temporary international or foreign presence in the occupied Palestinian territory for the safety and protection of the Palestinian people,

Expressing appreciation to the countries that participated in the Temporary International Presence in Hebron for their positive contribution,

Convinced also of the need for the full implementation of Security Council resolution 904 (1994),

1. Determines that all measures and actions taken by Israel, the occupying Power, in the occupied Palestinian territory, including Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and contrary to the relevant resolutions of the Security Council are illegal and have no validity, and demands that Israel desist forthwith from taking any such measures or actions;

2. Reaffirms in particular that the Israeli settlements in the occupied Palestinian territory, including Jerusalem, and the other Arab territories occupied by Israel since 1967, are illegal and an obstacle to a comprehensive settlement;

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[16] *United Nations, Treaty Series, vol. 75, Nos. 970-973.*

3. Notes with satisfaction the return of a number of deportees to the occupied Palestinian territory, and calls upon Israel to facilitate the return of the remainder;

4. Calls upon Israel, the occupying Power, to accelerate the release of all remaining Palestinians arbitrarily detained or imprisoned, in line with agreements reached;

5. Calls for complete respect by Israel, the occupying Power, of all fundamental freedoms of the Palestinian people, pending the extension of the self-government arrangements to the rest of the West Bank;

6. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

Adopted on 9 December 1994
by a vote of 145 in favour to
2 against, with 17 abstentions

D

The General Assembly,

Deeply concerned that the Syrian Golan occupied since 1967 has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the last of which was 48/41 D of 10 December 1993,

Having considered the report of the Secretary-General of 31 October 1994,[17]

Recalling further its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[7] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace and stressing the need for rapid progress in all bilateral negotiations,

1. Calls upon Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, and in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, should rescind forthwith its decisions;

2. Also calls upon Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

3. Determines that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;

4. Further calls upon Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and to desist from its repressive measures against the population of the occupied Syrian Golan;

5. Deplores the violations of the Geneva Convention by Israel;

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[17] *A/49/601.*

6. Calls once again upon Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

Adopted on 9 December 1994
by a vote of 145 in favour to
1 against, with 15 abstentions

IV. GENERAL ASSEMBLY ADOPTS SEVEN RESOLUTIONS ON THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (UNRWA)

On 9 December 1994, the General Assembly considered the report of the Special Political and Decolonization Committee (Fourth Committee) on agenda item 77, entitled "United Nations Relief and Works Agency for Palestine Refugees in the Near East".[18] (For the verbatim record of the plenary consideration of the item, see A/49/PV.83; for a description of the reports submitted under the item, see the October/November 1994 issue of this bulletin).

The seven resolutions adopted by the Assembly on the recommendation of the Fourth Committee are reproduced below.

49/35. United Nations Relief and Works Agency for the Palestine Refugees in the Near East

A

Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 48/40 A and all its previous resolutions on the question, including resolution 194 (III) of 11 December 1948,

Taking note of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 1993 to 30 June 1994,[19]

Welcoming the signature by the Government of the State of Israel and the Palestine Liberation Organization of the Declaration of Principles on Interim Self-Government Arrangements at Washington, D.C., on 13 September 1993,[2] and the subsequent implementation agreements,

Commending the work of the Multilateral Working Group on Refugees of the Middle East peace process,

Welcoming the appointment by the Secretary-General of a Special Coordinator in the occupied territories,

Welcoming also the decision to transfer the headquarters of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to its area of operation,

1. Notes with regret that repatriation or compensation of the refugees, as provided for in paragraph 11 of its resolution 194 (III), has not yet been effected and that, therefore, the situation of the refugees continues to be a matter of concern;

2. Expresses its thanks to the Commissioner-General and to all the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, recognizing

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[18] *A/49/619.*

[19] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13).*

that the Agency is doing all it can within the limits of available resources, and also expresses its thanks to the specialized agencies and to private organizations for their valuable work in assisting refugees;

3. Endorses the Secretary-General's decision to transfer the headquarters of the Agency, requests the Commissioner-General to implement that decision in a manner which does not adversely affect the efficient and continued running of the Agency in all fields of its area of operation, and requests the Secretary-General to produce a detailed financial plan to present to the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East as soon as possible and in any case before the transfer takes place;

4. Notes with regret that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III),[20] and requests the Commission to exert continued efforts towards the implementation of that paragraph and to report to the General Assembly as appropriate, but not later than 1 September 1995;

5. Notes the significant success of the peace implementation programme of the Agency during the first year after the signing of the Declaration of Principles on Interim Self-Government Arrangements;

6. Welcomes the results of the Conference to Support Middle East Peace, held in Washington, D.C., on 1 October 1993, concerning urgent financial and economic assistance in support of the economic and social development of the Palestinian people, also welcomes contributions by Member States to this end, and urges all Member States to extend and expedite aid and assistance with a view to the economic and social development of the occupied territories;

7. Directs attention to the continuing seriousness of the financial position of the Agency, as outlined in the report of the Commissioner-General;

8. Notes with profound concern that the structural deficit problem confronting the Agency portends an almost certain decline in the living conditions of Palestine refugees and that it therefore has possible consequences for the peace process;

9. Calls upon all Governments, as a matter of urgency, to make the most generous efforts possible to meet the anticipated needs of the Agency, including the costs of moving the headquarters to Gaza, and urges non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions.

Adopted on 9 December 1994
by a vote of 130 in favour to
none against, with 2 abstentions

Vote on the last preambular paragraph:
163 in favour to none against,
with 2 abstentions

Vote on operative paragraph 3:
160 in favour to none against,
with 2 abstentions

B

Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolution 2656 (XXV) of 7 December 1970, 2728 (XXV) of 15 December 1970, 2791 (XXVI) of 6 December 1971, 48/40 B of 10 December 1993 and the previous resolutions on this question,

Recalling also its decision 36/462 of 16 March 1982, by which it took note of the special report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East,[21]

Having considered the report of the Working Group,[22]

Taking into account the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 1993 to 30 June 1994,[19]

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[20] *See A/49/509, annex.*

[21] *A/36/866 and Corr.1; see also A/37/591.*

[22] *A/49/570.*

Deeply concerned about the critical financial situation of the Agency, which has affected and affects the continuation of the provision of the necessary Agency services to the Palestine refugees, including the emergency-related programmes,

Emphasizing the continuing need for extraordinary efforts in order to maintain, at least at the current minimum level, the activities of the Agency, as well as to enable the Agency to carry out essential construction,

1. Commends the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for its efforts to assist in ensuring the financial security of the Agency;

2. Takes note with approval of the report of the Working Group;

3. Requests the Working Group to continue its efforts, in cooperation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one year;

4. Requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work.

Adopted on 9 December 1994
without a vote

C

Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolution 2252 (ES-V) of 4 July 1967 and 2341 B (XXI) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of General Assembly resolution 48/40 F of 10 December 1993,[23]

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 1993 to 30 June 1993,[19]

Concerned about the continued human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements, signed at Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization,[2] with regard to the modalities for the admission of persons displaced in 1967,

1. Reaffirms the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. Expresses the hope for an accelerated return of displaced persons through the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements;

3. Endorses, in the meanwhile, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. Strongly appeals to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above purposes;

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[23] *A/49/441.*

5. Requests the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its fiftieth session on the progress made with regard to the implementation of the present resolution.

Adopted on 9 December 1994
by a vote of 160 in favour to
2 against, with 4 abstentions

D

Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees

The General Assembly,

Recalling its resolution 212 (III) of 19 November 1948 on assistance to Palestine refugees,

Recalling also its resolutions 35/13 B of 3 November 1980, 36/146 H of 16 December 1981, 37/120 D of 16 December 1982, 38/83 D of 15 December 1983, 39/99 D of 14 December 1984, 40/165 D of 16 December 1985, 41/69 D of 3 December 1986, 42/69 D of 2 December 1987, 43/57 D of 6 December 1988, 44/47 D of 8 December 1989, 45/73 D of 11 December 1990, 46/46 D of 9 December 1991, 47/69 D of 14 December 1992 and 48/40 D of 10 December 1993,

Cognizant of the fact that the Palestine refugees have, for the last four decades, lost their homes, lands and means of livelihood,

Having considered the report of the Secretary General,[24]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 1993 to 30 July 1994,[19]

1. Urges all States to respond to the appeal in its resolution 32/90 F of 13 December 1977 and reiterated in subsequent relevant resolutions in a manner commensurate with the needs of Palestine refugees for higher education, including vocational training;

2. Strongly appeals to all States, specialized agencies and non-governmental organizations to augment the special allocations for grants and scholarships to Palestine refugees, in addition to their contributions to the regular budget of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

3. Expresses its appreciation to all Governments, specialized agencies and non-governmental organizations that responded favourably to its resolutions 41/69 D, 42/69 D, 43/57 D, 44/47 D, 45/73 D, 46/46 D, 47/69 D and 48/40 D;

4. Invites the relevant specialized agencies and other organizations of the United Nations system to continue, within their respective spheres of competence, to extend assistance for higher education to Palestine refugee students;

5. Appeals to all States, specialized agencies and the United Nations University to contribute generously to the Palestinian universities in the Palestinian territory occupied by Israel since 1967, including, in due course, the proposed university of Jerusalem "Al-Quds" for Palestine refugees;

6. Appeals to all States, specialized agencies and other international bodies to contribute towards the establishment of vocational training centres for Palestine refugees;

7. Requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships and to award them to qualified Palestine refugee candidates;

8. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

Adopted on 9 December 1994
by a vote of 165 in favour to
none against, with 1 abstention

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[24] *A/49/439.*

E

Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions,

Recalling also the relevant Security Council resolutions,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period 1 July 1993 to 30 June 1994,[19]

Taking note of the letter dated 15 September 1994 from the Chairman of the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed to the Commissioner-General, contained in the report of the Commissioner-General,

Having considered the reports of the Secretary-General submitted in pursuance of General Assembly resolutions 48/40 E,[25] 48/40[26] and 48/40[27] of 19 December 1993,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[28]

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[7] to the Palestinian territory occupied since 1967, including Jerusalem,

Aware of the fact that Palestine refugees have, for over four decades, lost their homes, lands and means of livelihood,

Aware also of the continuing needs of Palestine refugees throughout the occupied Palestinian territory and in the other fields of operation, namely in Lebanon, Jordan and the Syrian Arab Republic,

Expressing its appreciation for the role which has been played by the United Nations Relief and Works Agency for Palestine Refugees in the Near East over the years in the service of the Palestine refugees, and aware of the importance of its presence and the increase in its work in the new circumstances,

Aware further of the valuable work done by the refugee affairs officers of the Agency in providing protection to the Palestinian people, in particular Palestinian refugees,

Deeply concerned about the critical financial situation of the Agency and its effect on the continuity of provision of the necessary Agency services to the Palestine refugees, including the emergency-related programmes,

Aware of the initiation of the new peace implementation programme of the Agency,

Convinced of the necessity of the transfer of the headquarters of the Agency to the occupied Palestinian territory as part of the area of operation of the Agency,

Welcoming the signing at Washington, D.C., on 13 September 1993 of the Declaration of Principles on Interim Self-Government Arrangements[2] by the Government of the State of Israel and the Palestine Liberation Organization, and the subsequent implementation agreements, including the Agreement on the Gaza Strip and the Jericho Area, signed at Cairo on of 4 May 1994,[3]

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[29]

Recalling its decision 48/417 of 10 December 1993 on the establishment of a working relationship between the Advisory Commission of the Agency and the Palestine Liberation Organization,

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[25] *A/49/440.*

[26] *A/49/442.*

[27] *A/49/443.*

[28] *Resolution 22 A (I).*

[29] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13 (A/49/13), annex I.*

1. Expresses its appreciation to the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as to all the staff of the Agency, for their tireless efforts and valuable work,

2. Expresses its appreciation also to the Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and requests it to continue its efforts and to keep the General Assembly informed on its activities, including the full implementation of decision 48/417;

3. Acknowledges the support of the host Governments and the Palestine Liberation Organization for the Agency in the discharge of its duties;

4. Calls upon Israel, the occupying Power, to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[7] and to abide scrupulously by its provisions;

5. Also calls upon Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[28] with regard to the safety of the personnel of the Agency and the protection of its institutions and the safeguarding of the security of the facilities of the Agency in the occupied Palestinian territory, including Jerusalem;

6. Calls once again upon the Government of Israel to compensate the Agency for damages to its property and facilities resulting from actions by the Israeli side;

7. Requests the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the occupied Palestinian territory;

8. Notes that the new context created by the signing of the Declaration of Principles on Interim Self-Government Arrangements[2] by the Government of the State of Israel and the Palestine Liberation Organization and subsequent implementation agreements has had major consequences for the activities of the Agency, which is henceforth called upon, in close cooperation with the Special Coordinator in the Occupied Territories, the specialized agencies and the World Bank, to continue to contribute towards the development of economic and social stability in the occupied territory;

9. Notes also that the functioning of the Agency remains essential in all fields of operation;

10. Notes further the significant success of the peace implementation programme of the Agency during the first year following the signing of the Declaration of Principles;

11. Urges all States, specialized agencies and non-governmental organizations to continue and to increase their contributions to the Agency so as to ease the current financial constraints and to support the Agency in maintaining the provision of the most basic and effective assistance to the Palestine refugees.

Adopted on 9 December 1994
by a vote of 162 in favour to
2 against, with 3 abstentions

F

Revenues derived from Palestine refugees' properties

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General in pursuance of resolution 48/40 G of 10 December 1993,[30]

Taking note also of the report of the United Nations Conciliation Commission for Palestine covering the period 1 September 1993 to 31 August 1994,[20]

Recalling that the Universal Declaration of Human Rights[12] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her private property,

Considering that the Palestine Arab refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of justice and equity,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Concilia-

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[30] *A/49/488.*

tion Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine Arab refugees,

Taking note of the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[31] and of the fact that the Land Office had a schedule of Arab owners and file of documents defining the location, area and other particulars of Arab property,

1. Requests the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel and to establish a fund for the receipt of income derived therefrom, on behalf of the rightful owners;

2. Calls once more upon Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

3. Calls upon the Governments of all the other Member States concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel which would assist the Secretary-General in the implementation of the present resolution;

4. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the implementation of the present resolution.

Adopted on 9 December 1994
by a vote of 113 in favour to
2 against, with 51 abstentions

G

University of Jerusalem "Al Quds"
for Palestine refugees

The General Assembly,

"Recalling its resolutions 36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 15 December 1983, 39/99 K of 14 December 1984, 40/165 D and K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988, 44/47 J of 8 December 1989, 45/73 J of 11 December 1990, 46/46 J of 9 December 1991, 47/69 J of 14 December 1992 and 48/40 I of 10 December 1993,

Having considered the report of the Secretary-General,[32]

Having also considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 July 1993 to 30 June 1994,[19]

1. Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

2. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds", in accordance with General Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

3. Calls once more upon Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hindrances that it has put in the way of establishing the University of Jerusalem "Al-Quds";

4. Also requests the Secretary-General to report to the General Assembly at its fiftieth session on the progress made in the implementation of the present resolution.

Adopted on 9 December 1994
by a vote of 161 in favour to
2 against, with 2 abstentions

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[31] *Official Records of the General Assembly, Nineteenth Session, Annexes, Annex No. 11, document A/5700.*

[32] *A/49/505.*

V. GENERAL ASSEMBLY ADOPTS RESOLUTIONS ON FINANCING OF THE PALESTINIAN POLICE FORCE AND ON ASSISTANCE TO THE PALESTINIAN PEOPLE

On 2 December 1994, the General Assembly adopted a resolution entitled "Financing of the Palestinian Police Force" under agenda item 36 (b) entitled "Strenghtening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: special economic assistance to individual countries and regions". On 20 December 1994, under the same item, the Assembly considered the report of the Secretary-General on assistance to the Palestinian People[33] and adopted a resolution on that subject. The resolutions are reproduced below.

49/21 B. Financing of the Palestinian Police Force

The General Assembly,

Recalling its resolution 48/213 of 21 December 1993 on assistance to the Palestinian people,

Noting the establishment of the Palestinian Police Force pursuant to the Declaration of Principles on Interim Self-Government Arrangements[2] and the Cairo Agreement on the Gaza Strip and the Jericho Area,[3]

Noting also the establishment of the Ad Hoc Liaison Committee pursuant to the Conference to Support Middle East peace, held in Washington, D.C., on 1 October 1993,

Conscious of the need to establish a mechanism for disbursements to the Palestinian Police Force,

1. Requests the Secretary-General to designate a United Nations agency to disburse, with due attention to the need for thorough accounting, the voluntary contributions given by donors in light of the activities of the Ad Hoc Liaison Committee for salaries and other start-up costs of the Palestinian Police Force, for a period ending not later than the end of March 1995;

2. Encourages all Member States to contribute funds for this purpose through the designated United Nations agency;

3. Also requests the Secretary-General to report on the implementation of the present resolution.

Adopted on 2 December 1994
without a vote

49/21 N. Assistance to the Palestinian people

The General Assembly,

Recalling Economic and Social Council resolution 1994/29 of 27 July 1994,

Recalling also previous resolutions on the question,

Welcoming the signing at Cairo on 4 May 1994 by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, of the first implementation agreement of the Declaration of Principles on Interim Self-Government Arrangements,[2] namely, the Agreement on the Gaza Strip and the Jericho Area,[3] and the Agreement on Preparatory Transfer of Powers and Responsibilities of 29 August 1994,

Gravely concerned about the difficult economic and employment conditions facing the Palestinian people throughout the occupied territory,

Conscious of the urgent need for improvement in the economic and social infrastructure of the occupied territory and the living conditions of the Palestinian people,

Aware that development is difficult under occupation and best promoted in circumstances of peace and stability,

Noting, in the light of the recent developments, the great economic and social challenges facing the Palestinian people and their leadership,

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[33] *A/49/263-E/1994/112 and Corr.1.*

Conscious of the urgent necessity for international assistance to the Palestinian people, taking into account the Palestinian priorities,

Noting the convening of the United Nations Seminar on Palestinian Trade and Investment Needs, held at the headquarters of the United Nations Educational, Scientific and Cultural Organization from 20 to 22 June 1994,

Welcoming the signing of the agreements between the Palestine Liberation Organization and the United Nations Development Programme, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization,

Stressing the need for the full engagement of the United Nations in the process of building Palestinian institutions and in providing broad assistance to the Palestinian people, including assistance in the fields of elections, police training and public administration,

Noting the appointment by the Secretary-General in June 1994 of a Special Coordinator in the occupied territories,

Welcoming the results of the Conference to Support Middle East Peace, convened in Washington, D.C., on 1 October 1993, and the establishment of the Ad Hoc Liaison Committee and the work being done by the World Bank as its secretariat, as well as the establishment of the consultative group,

Welcoming also the results of the meeting of the Ad Hoc Liaison Committee on 29 and 30 November 1994 at Brussels,

Having considered the report of the Secretary-General of 19 July 1994,[33]

1. Takes note of the report of the Secretary-General;

2. Expresses its appreciation to the Secretary-General for his rapid response and efforts regarding assistance to the Palestinian people;

3. Also expresses its appreciation to the Member States, United Nations bodies and intergovernmental and non-governmental organizations that have provided and continue to provide assistance to the Palestinian people;

4. Stresses the importance of the appointment of the Special Coordinator in the occupied territories and of the steps taken under the auspices of the Secretary-General to ensure the achievement of a coordinated mechanism for United Nations activities throughout the occupied territories;

5. Urges Member States, international financial institutions of the United Nations system, international intergovernmental and non-governmental organizations and regional and interregional organizations to extend, as rapidly and as generously as possible, economic and social assistance to the Palestinian people in order to assist in the development of the West Bank and Gaza, and to do so in close cooperation with the Palestine Liberation Organization and through official Palestinian institutions;

6. Calls upon relevant organizations and agencies of the United Nations system to intensify their assistance in response to the urgent needs of the Palestinian people in accordance with the Palestinian priorities set forth by the Palestinian Authority with emphasis on national execution and capacity-building;

7. Urges Member States to open their markets to exports from the West Bank and Gaza and on the most favourable terms, consistent with appropriate trading rules;

8. Calls upon the international donor community to expedite the delivery of pledged assistance to the Palestinian people to meet their urgent needs;

9. Suggests the convening in 1995 of a United Nations-sponsored seminar on Palestinian administrative, managerial and financial needs and challenges in the light of the new developments;

10. Requests the Secretary-General to submit a report to the General Assembly at its fiftieth session, through the Economic and Social Council, on the implementation of the present resolution, containing:

(a) An assessment of the assistance actually received by the Palestinian people;

(b) An assessment of the needs still unmet and specific proposals for responding effectively to them;

11. Decides to include in the provisional agenda of its fiftieth session, under the item entitled "Strengthening the coordination of the humanitarian and disaster relief assistance of the United Nations, including special economic assistance", a sub-item entitled "Assistance to the Palestinian people".

Adopted on 20 December 1994
without a vote

VI. GENERAL ASSEMBLY ADOPTS RESOLUTION ON THE SOCIAL AND ECONOMIC REPERCUSSIONS OF THE ISRAELI SETTLEMENTS

On 20 December 1994, the General Assembly adopted a resolution on the economic and social repercussions of the Israeli settlements under agenda item 12, entitled "Report of the Economic and Social Council". The resolution is reproduced below.

49/132. Economic and social repercussions of the Israeli settlements on the Palestinian people in the Palestinian territory, including Jerusalem, occupied since 1967, and on the Arab population of the Syrian Golan

The General Assembly,

Recalling Economic and Social Council resolution 1994/45 of 29 July 1994,

Reaffirming the principle of the permanent sovereignty of people under foreign occupation over their national resources,

Guided by the principles of the Charter of the United Nations, affirming the inadmissibility of the acquisition of territory by force, and recalling Security Council resolutions 242 (1967) of 22 November 1967 and 497 (1981) of 17 December 1981,

Recalling Security Council resolution 465 (1980) of 1 March 1980 and other resolutions affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[7] to the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967,

Recalling also Security Council resolution 904 (1994) of 18 March 1994, in which, among other things, the Council called upon Israel, the occupying Power, to continue to take and implement measures, including, inter alia, confiscation of arms, with the aim of preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory,

Aware of the negative and grave economic and social repercussions of the Israeli settlements on the Palestinian people in the Palestinian territory, occupied since 1967, including Jerusalem, and on the Arab population of the Syrian Golan,

Welcoming the ongoing Middle East peace process started at Madrid, in particular the signing at Cairo on 4 May 1994 by the Government of the State of Israel and the Palestine Liberation Organization, the representative of the Palestinian people, of the first implementation agreement of the Declaration of Principles on Interim Self-Government Arrangements,[2] namely the Agreement on the Gaza Strip and the Jericho Area,[3]

1. Takes note of the note by the Secretary-General;[34]

2. Reaffirms that Israeli settlements in the Palestinian territory, including Jerusalem, and other Arab territories occupied since 1967, are illegal and an obstacle to economic and social development;

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[34] *A/49/169-E/1994/73.*

3. Recognizes the economic and social repercussions of the Israeli settlements on the Palestinian people in the Palestinian territory occupied by Israel since 1967, including Jerusalem, and on the Arab population of the Syrian Golan;

4. Reaffirms the inalienable right of the Palestinian people and the population of the Syrian Golan to their natural and all other economic resources, and regards any infringement thereof as being illegal;

5. Requests the Secretary-General to submit to the General Assembly, at its fiftieth session, through the Economic and Social Council, a report on the progress made in the implementation of the present resolution.

Adopted on 19 December 1994
by a vote of 133 in favour to
2 against, with 23 abstentions

VII. GENERAL ASSEMBLY ADOPTS RESOLUTION ON THE RIGHT OF THE PALESTINIAN PEOPLE TO SELF-DETERMINATION

On 23 December 1994, the General Assembly considered the report of the Third Committee[35] on agenda item 94, entitled "Right of peoples to self-determination", and adopted the resolution reproduced below.

49/149. The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in its Charter,

Recalling the International Covenants on Human Rights,[13] the Universal Declaration of Human Rights,[12] the Declaration on the Granting of Independence to Colonial Countries and Peoples,[36] as well as the Vienna Declaration and Programme of Action,[37] adopted at the World Conference on Human Rights on 25 June 1993,

Taking note of the progress made in the Middle East peace process, in particular the mutual recognition and the signing of the Declaration of Principles on Interim Self-Government Arrangements in Washington, D.C., on 13 September 1993 by the Government of the State of Israel and the Palestine Liberation Organization,[2] as well as the ensuing developments on the ground,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. Reaffirms the right of the Palestinian people to self-determination;

2. Expresses the hope that the Palestinian people may soon exercise their right to self-determination in the current peace process;

3. Urges all States, specialized agencies and organizations of the United Nations system to continue to support the Palestinian people in their quest for self-determination.

Adopted on 23 December 1994
by a vote of 147 in favour to
2 against, with 19 abstentions

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[35] *A/49/752.*

[36] *Resolution 1514 (XV).*

[37] *Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.*

VIII. EXCERPTS FROM THE FINAL REPORT OF THE FIFTEENTH SESSION OF THE SUPREME COUNCIL OF THE GULF COOPERATION COUNCIL, HELD FROM 17 TO 21 DECEMBER 1994

The fifteenth session of the Supreme Council of the Gulf Cooperation Council was held at Manamah from 17 to 21 December 1994. Reproduced below is an excerpt from the final report adopted at that meeting.[38]

The peace process in the Middle East

The Supreme Council studied developments in the Middle East peace process, and noted the tangible progress which had been made recently as evinced in the signing by the Israelis and Palestinians of the autonomy agreement, the steps they had taken towards an early transfer of responsibility to Palestinian civilian authority and the expansion of the extent of Palestinian self-rule, and the peace treaty signed between Jordan and Israel.

While the Council welcomed the perceptible progress made in the Middle East peace process and expressed its continued support for that process, it called upon the two sponsors of the peace conference to increase their efforts to make progress on the Syrian-Israeli and Lebanese-Israeli tracks, to call for complete Israeli withdrawal from the Syrian Golan Heights and South Lebanon, and to reach a just and comprehensive settlement of the Palestinian problem in accordance with the legal international resolutions, based on the principle of land for peace and Security Council resolutions 242 (1967), 338 (1973) and 425 (1978).

The Supreme Council also requested the Security Council and the sponsors of the peace process to prevent Israel from making any changes in the status and demographic or geographic characteristics of the city of Jerusalem as the borders stood in 1967, and to ensure its compliance with all legitimate international resolutions relating to the holy city of Jerusalem.

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[38] *A/49/815-S/1994/1446.*

IX. STATEMENT BY THE EUROPEAN UNION ON AID TO THE PALESTINIANS

On 28 November 1994, the European Union issued a statement on aid to the Palestinians.[39] That statement is reproduced below.

The European Union considers that the Middle East peace process has reached a crucial stage in which it is necessary for all sides to do their utmost to bring it to a successful conclusion. In this context, the further development of the Palestinian territories is of paramount importance.

The European Union has, on numerous occasions, e.g., in the joint action adopted on 19 April 1994, confirmed its readiness to support the Middle East peace process in general and development in the Palestinian territories in particular, through both political and material assistance.

While the Ad Hoc Liaison Committee is meeting at Brussels to examine once more the issue of aid to the Palestinian territories, the European Union wishes to stress the great importance of this meeting under the current circumstances.

As the largest contributor of aid to the Palestinians, the European Union reaffirms its determination to continue its economic and financial efforts and its willingness to examine ways and means of meeting the needs of the Palestinians more effectively.

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[39] A/49/751.

The European Union is convinced that, during the particular phase in which autonomy is being created and Palestinian institutions set up, it is vital for the inhabitants of the territories to see concrete evidence in their daily lives of the positive effects of the political changes which took place over a year ago. This objective requires efforts to be made on all sides, whether it be the donor community as a whole or the regional parties.

The European Union has undertaken important measures to this end. Not only was the sum of ECU 87.38 million in grants committed from the community budget in 1994, but a very large part of that sum has already reached the Palestinian territories; the autonomous territories and the occupied territories received payments totalling ECU 71.89 million in 1994 (by 24 November 1994). By February 1995 they will have received ECU 24.30 million more. They will, therefore, have received ECU 96.16 million over 14 months, to which should be added Members States' contributions.

While the European Union reiterates its readiness and resolve to continue to contribute to the success of the peace process, it calls upon other donors, and especially those from the region itself, to carry their share of the international burden. International aid can only be complementary to the efforts of the parties directly concerned. Therefore Palestinians and Israelis can also make a contribution, each for the aspects which concern them, by endeavouring to improve the operation of the bodies in charge of aid administration, by facilitating the entry of equipment financed by international aid and by implementing forthwith the clauses of the Israeli-Palestinian Economic Agreement of 29 April 1994 concerning access of Palestinian workers and products to Israel.

The European Union is also convinced that donors' efforts to help the civilian population must be accompanied by a reactivation of the peace process, particularly with regard to the full implementation of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993.[2] Indeed, the tragic events in Gaza demonstrate the overriding need to consolidate and speed up the process begun by the historic Declaration of September 1993.

In this context, the European Union welcomes the decision of Israel and PLO to resume their negotiations on the implementation of the autonomy agreement. It is essential that these discussions open the way as soon as possible to new progress on the issues outstanding, in particular those of the elections and the extension of autonomy to the West Bank.

X. NON-GOVERNMENTAL ORGANIZATIONS: ACTIVITIES AND INFORMATION

1. Middle East International, a bi-weekly publication, is available from P.O. Box 53365, Temple Heights Station, Washington, D.C. 20009, United States of America. Issue No. 489 of 2 December 1994 includes articles on events in Gaza, Fatah, United States-Israel relations, Hamas and the Islamic Jihad. Issue No. 490 of 16 December 1994 includes articles on the Palestinian-Israeli negotiations, Israeli Defence Force redeployment, the settlements, the Likud Party, Hamas, United Nations resolutions on Palestine and aid to Palestinians.

2. The Other Front, a weekly bulletin on developments in Israeli society, is available from P.O. Box 19543, Jerusalem. Issue No. 299 of 29 November 1994 includes articles on the death penalty, peace activists, the Histadrut, activities of right-wing groups and the settlements. Issue No. 300 of 6 December 1994 includes articles on the Israeli legal system's treatment of Jews and Palestinians, the settlements, right-wing groups, the Meretz Youth, the Israeli Defence Forces and the peace process. Issue No. 302 of 20 December 1994 includes articles on Yitzhak Rabin and the Labour Party, investigations into the Hebron massacre, the "Kach" youth camp, Palestinians inside Israel, the Israeli Defence Forces and peace groups.

3. Une Terre, Deux Peuples, a publication of the Association pour l'union entre les peuples juif et palestinien, is available from C.P. 43, 1247 Anières, Geneva, Switzerland. The issue for October/

November/December 1994 includes articles on the peace process, the Palestinian economy, the establishment of highways in the occupied territories, Yitzhak Rabin, a commentary entitled "A humanistic view of the Palestinian-Israeli conflict", as well as articles from the "Women's Organization for Political Prisoners" bulletin.

4. Tanmiya, a quarterly newsletter issued by the Welfare Association on developments in the fields of Palestinian education, health, economic affairs and culture, is available from Welfare Association, 7 Avenue Pictet-de-Rochemont, P.O. Box 602, CH-1211, Geneva 6, Switzerland. Issue No. 35 of June 1994 includes articles on the Palestinian economic situation, the institutional structure of international assistance, social and labour statistics, emergency projects and the Palestinian budget. Issue No. 37 of December 1994 includes articles on Palestinian NGOs, the Palestinian National Authority and NGOs, women in development and population issues.

5. Israel and Palestine Political Report, which is published by Magelan and Association Mashrek Développement, is available from the International Jewish Peace Union, Boite Postale 44, 75462 Paris CEDEX 10, France (Fax. 331 48 00 9645). Issue No. 190 of November/December 1994 includes articles on Israeli NGO activities, the settlements, Noam Chomsky on democracy and a chronology of political events.

6. Samed, Palestinian Prison Voices, published by the Mandela Institute for Political Prisoners, is available from P.O. Box 19543, Jerusalem. The November/December 1994 issue includes articles on the Israeli General Security Service, teenagers in prison, prison visits and released prisoners in Jericho and a graph on the percentage of Palestinian political prisoners held inside Israel and the occupied territories in 1994.

7. Al-Haq, an affiliate of the International Commission of Jurists, has published the press releases listed below during the month of December 1994. Copies are available from P.O. Box 1413, Ramallah, West Bank (Fax. 972 2 995194).

"A new attack on an East Jerusalem institution - the Augusta Victoria Hospital";

"International Disability Day: 3 December 1994. Al-Haq demands that disability be placed on the human rights agenda";

"The human rights situation in the occupied Palestinian territories on the forty-sixth anniversary of the Universal Declaration of Human Rights".

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